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111TH CONGRESS
2^D SESSION

S. 1224

[Report No. 111–126]

To reauthorize the Chesapeake Bay Office of the National Oceanic and
Atmospheric Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2009

Mr. WARNER (for himself, Ms. MIKULSKI, Mr. CARDIN, and Mr. WEBB) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

FEBRUARY 23, 2010

Reported by Mr. ROCKEFELLER, with an amendment

[Strike all after the enacting clause and insert the part printed in *italic*]

A BILL

To reauthorize the Chesapeake Bay Office of the National
Oceanic and Atmospheric Administration, and for other
purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Chesapeake Bay
3 Science, Education, and Ecosystem Enhancement Act of
4 2009”.

5 **SEC. 2. REAUTHORIZATION OF CHESAPEAKE BAY OFFICE**
6 **OF NATIONAL OCEANIC AND ATMOSPHERIC**
7 **ADMINISTRATION.**

8 Section 307 of the National Oceanic and Atmospheric
9 Administration Authorization Act of 1992 (15 U.S.C.
10 1511d) is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1)—

13 (i) by striking “(1) The Secretary”
14 and inserting the following:

15 “(1) IN GENERAL.—The Secretary”; and

16 (ii) by striking “(in this section” and
17 all that follows and inserting a period;

18 (B) by amending paragraph (2) to read as
19 follows:

20 “(2) DIRECTOR.—

21 “(A) IN GENERAL.—The Office shall be
22 headed by a Director who shall be selected by
23 the Secretary of Commerce from among individ-
24 uals who have knowledge and experience in re-
25 search or resource management efforts in the
26 Chesapeake Bay.

1 “(B) DUTIES.—The duties of the Director
2 are as follows:

3 “(i) Administration and operation of
4 the Office.

5 “(ii) Carrying out the provisions of
6 this section.”; and

7 (C) by striking paragraph (3);
8 (2) in subsection (b)—

9 (A) by striking the matter preceding para-
10 graph (1) and inserting the following:

11 “(b) PURPOSE.—The purpose of this section is to
12 focus the relevant science, research, and resource manage-
13 ment capabilities of the National Oceanic and Atmospheric
14 Administration as they apply to the Chesapeake Bay and
15 to utilize the Office to—”;

16 (B) in paragraph (2), by striking “Sec-
17 retary of Commerce” and inserting “Adminis-
18 trator”;

19 (C) in paragraph (3)—

20 (i) by striking the matter preceding
21 subparagraph (A) and inserting the fol-
22 lowing:

23 “(3) coordinate with the programs and activi-
24 ties of the various organizations within the National
25 Oceanic and Atmospheric Administration in further-

1 ance of such administration's coastal resource stew-
 2 ardship mission, including—";

3 (ii) in subparagraph (A)—

4 (I) in clause (vi), by striking “;
 5 and” and inserting a semicolon; and

6 (II) by inserting after clause (vii)
 7 the following:

8 “(viii) coastal hazards and climate
 9 change; and”; and

10 (iii) in subparagraph (B)—

11 (I) in clause (iii), by striking “;
 12 and” and inserting a semicolon;

13 (II) in clause (iv), by adding
 14 “and” at the end; and

15 (III) by adding at the end the
 16 following:

17 “(v) integrated ecosystem assess-
 18 ments;”;

19 (D) in paragraph (4), by inserting before
 20 the semicolon at the end the following: “as ap-
 21 propriate to further the purposes of this sec-
 22 tion”;

23 (E) by striking paragraphs (5) and (7);

24 (F) by redesignating paragraph (6) as
 25 paragraph (5);

1 (G) in paragraph (5), as redesignated by
 2 subparagraph (F), by adding “and” at the end;
 3 and

4 (H) by adding at the end the following:

5 “(6) perform such functions as may be nec-
 6 essary to support the programs referred to in para-
 7 graph (3)”; and

8 (3) by striking subsection (c) and all that fol-
 9 lows through the end of the section and inserting the
 10 following:

11 “(c) PROGRAM ACTIVITIES.—

12 “(1) IN GENERAL.—The Director shall imple-
 13 ment the program activities required by this sub-
 14 section to support the activity of the Chesapeake Ex-
 15 ecutive Council and to further the purposes of this
 16 section.

17 “(2) ENSURING SCIENTIFIC AND TECHNICAL
 18 MERIT.—The Director shall—

19 “(A) establish and utilize an effective and
 20 transparent mechanism to ensure that projects
 21 funded under this section have undergone ap-
 22 propriate peer review; using, to the extent prac-
 23 ticable, the capabilities of the Maryland and
 24 Virginia Sea Grant Program;

1 “(B) provide other appropriate means to
 2 determine that such projects have acceptable
 3 scientific and technical merit for the purpose of
 4 achieving maximum utilization of available
 5 funds and resources to benefit the Chesapeake
 6 Bay area; and

7 “(C) ensure that all data and other prod-
 8 ucts generated by any project funded under this
 9 section be provided to the Director.

10 “(3) CONSULTATION WITH CHESAPEAKE EXEC-
 11 UTIVE COUNCIL.—The Director shall, in the imple-
 12 mentation of the program activities authorized under
 13 this section, consult with the Chesapeake Executive
 14 Council to ensure that the activities of the Office are
 15 consistent with the purposes and priorities of the
 16 Chesapeake Bay Agreement and plans developed
 17 pursuant to the Agreement.

18 “(4) INTEGRATED COASTAL OBSERVATIONS.—

19 “(A) IN GENERAL.—The Director shall col-
 20 laborate with scientific and academic institu-
 21 tions, State and Federal agencies, nongovern-
 22 mental organizations, and other constituents in
 23 the Chesapeake Bay watershed, to support the
 24 development of an integrated observations sys-
 25 tem for the Chesapeake Bay.

1 “(B) SPECIFIC REQUIREMENTS.—To sup-
2 port the system referred to in subparagraph (A)
3 and provide a complete set of environmental in-
4 formation for the Chesapeake Bay, the Director
5 shall—

6 “(i) coordinate existing monitoring
7 and observing activities in the Chesapeake
8 Bay;

9 “(ii) identify new data collection needs
10 and deploy new technologies, as appro-
11 priate;

12 “(iii) facilitate the collection and anal-
13 ysis of the scientific information necessary
14 for the management of living marine re-
15 sources and the marine habitat associated
16 with such resources;

17 “(iv) coordinate with regional partners
18 to manage and interpret the information
19 described in clause (iii); and

20 “(v) support regional partners to en-
21 sure the information described in clause
22 (iii) is organized into products that are
23 useful to policy makers, resource man-
24 agers, scientists, and the public.

1 ~~“(C) CHESAPEAKE BAY INTERPRETIVE~~
 2 ~~BUOY SYSTEM.—To further the development~~
 3 ~~and implementation of the Chesapeake Bay In-~~
 4 ~~terpretive Buoy System, the Director shall—~~

5 ~~“(i) support the establishment and~~
 6 ~~implementation of the Captain John Smith~~
 7 ~~Chesapeake National Historic Trail;~~

8 ~~“(ii) delineate key waypoints along the~~
 9 ~~trail and provide appropriate real-time~~
 10 ~~data and information for trail users;~~

11 ~~“(iii) interpret data and information~~
 12 ~~for use by educators and students to in-~~
 13 ~~spire stewardship of Chesapeake Bay; and~~

14 ~~“(iv) incorporate the Chesapeake Bay~~
 15 ~~Interpretive Buoy System into the Inte-~~
 16 ~~grated Ocean Observing System regional~~
 17 ~~network of observatories.~~

18 ~~“(5) CHESAPEAKE BAY WATERSHED EDU-~~
 19 ~~CATION AND TRAINING PROGRAM.—~~

20 ~~“(A) IN GENERAL.—The Director shall es-~~
 21 ~~tablish a Chesapeake Bay watershed education~~
 22 ~~and training program. The program shall—~~

23 ~~“(i) continue and expand the Chesa-~~
 24 ~~peake Bay watershed education programs~~
 25 ~~offered by the Office on the day before the~~

1 date of the enactment of the Chesapeake
2 Bay Science, Education, and Ecosystem
3 Enhancement Act of 2009;

4 “(ii) improve the understanding of el-
5 ementary and secondary school students
6 and teachers of the living resources of the
7 ecosystem of the Chesapeake Bay;

8 “(iii) provide community education to
9 improve watershed protection; and

10 “(iv) meet the educational goals of the
11 most recent Chesapeake Bay Agreement.

12 “(B) GRANT PROGRAM.—The Director
13 may award grants to support education and
14 training projects that enhance understanding
15 and assessment of a specific environmental
16 problem in the Chesapeake Bay watershed or a
17 goal of the Chesapeake Bay Program, or pro-
18 tect or restore living resources of the Chesa-
19 peake Bay watershed, including projects that—

20 “(i) provide classroom education, in-
21 cluding the development and use of dis-
22 tance learning and other innovative tech-
23 nologies, related to the Chesapeake Bay
24 watershed;

1 “(ii) provide watershed educational
2 experiences in the Chesapeake Bay water-
3 shed;

4 “(iii) provide professional development
5 for teachers related to the Chesapeake Bay
6 watershed and the dissemination of perti-
7 nent education materials oriented to vary-
8 ing grade levels;

9 “(iv) demonstrate or disseminate envi-
10 ronmental educational tools and materials
11 related to the Chesapeake Bay watershed;

12 “(v) demonstrate field methods, prac-
13 tices, and techniques including assessment
14 of environmental and ecological conditions
15 and analysis of environmental problems;

16 “(vi) build the capacity of organiza-
17 tions to deliver high quality environmental
18 education programs; and

19 “(vii) educate local land use officials
20 and decision makers on the relationship of
21 land use to natural resource and watershed
22 protection.

23 “(C) COLLABORATION.—The Director shall
24 provide technical assistance to support the edu-
25 cation and training program established under

1 subparagraph (A) in collaboration with the
2 heads of other relevant Federal agencies.

3 ~~“(6) COASTAL AND LIVING RESOURCES MAN-~~
4 ~~AGEMENT AND HABITAT PROGRAM.—~~

5 ~~“(A) IN GENERAL.—~~The Director shall es-
6 ~~tablish a Chesapeake Bay coastal living re-~~
7 ~~sources management and habitat program to~~
8 ~~support coordinated management, protection,~~
9 ~~characterization, and restoration of priority~~
10 ~~Chesapeake Bay habitats and living resources,~~
11 ~~including oysters, blue crabs, and submerged~~
12 ~~aquatic vegetation.~~

13 ~~“(B) ACTIVITIES.—~~Under the program re-
14 ~~quired by subparagraph (A), the Director may,~~
15 ~~subject to the availability of appropriations,~~
16 ~~carry out or enter into grants, contracts, and~~
17 ~~cooperative agreements and provide technical~~
18 ~~assistance to support—~~

19 ~~“(i) native oyster restoration;~~

20 ~~“(ii) fish and shellfish aquaculture;~~

21 ~~“(iii) establishment of submerged~~
22 ~~aquatic vegetation propagation programs;~~

23 ~~“(iv) the development of programs~~
24 ~~that protect and restore critical coastal~~
25 ~~habitats;~~

1 “(v) habitat mapping, characteriza-
 2 tion, and assessment techniques necessary
 3 to identify, assess, and monitor restoration
 4 actions;

5 “(vi) application and transfer of ap-
 6 plied scientific research and ecosystem
 7 management tools to fisheries and habitat
 8 managers;

9 “(vii) collection, synthesis, and shar-
 10 ing of information to inform and influence
 11 coastal and living resource management
 12 issues; and

13 “(viii) such other activities as the Di-
 14 rector considers appropriate to carry out
 15 the program established under subpara-
 16 graph (A).

17 “(d) REPORTS.—

18 “(1) IN GENERAL.—The Director shall, not less
 19 frequently than once every 2 years, submit to Con-
 20 gress a report on—

21 “(A) the activities of the Office; and

22 “(B) progress made in protecting and re-
 23 storing the living resources and habitat of the
 24 Chesapeake Bay.

1 ~~“(2) ACTION PLAN.—Each report submitted~~
 2 ~~under paragraph (1) shall include an action plan for~~
 3 ~~the 2-year period following submission of the report,~~
 4 ~~consisting of—~~

5 ~~“(A) a list of recommended research, moni-~~
 6 ~~toring, and data collection activities necessary~~
 7 ~~to continue implementation of the strategy~~
 8 ~~under subsection (b)(2); and~~

9 ~~“(B) recommendations to integrate the ac-~~
 10 ~~tivities of the National Oceanic and Atmos-~~
 11 ~~spheric Administration with the activities of the~~
 12 ~~partners in the Chesapeake Bay Program in~~
 13 ~~order to meet the commitments of the Ches-~~
 14 ~~apeake Bay Agreement.~~

15 ~~“(c) AGREEMENTS.—~~

16 ~~“(1) IN GENERAL.—The Director may, subject~~
 17 ~~to the availability of appropriations, enter into and~~
 18 ~~perform such contracts, leases, grants, or coopera-~~
 19 ~~tive agreements as may be necessary to carry out~~
 20 ~~the provisions of this section.~~

21 ~~“(2) USE OF OTHER RESOURCES.—For pur-~~
 22 ~~poses of understanding, protecting, and restoring the~~
 23 ~~Chesapeake Bay, the Director may use, with or~~
 24 ~~without reimbursement, the land, services, equip-~~
 25 ~~ment, personnel, and facilities of any Department,~~

1 agency, or instrumentality of the United States, or
 2 of any State, local government, Indian tribal govern-
 3 ment, or of any political subdivision thereof if the
 4 Director receives consent from the Department,
 5 agency, instrumentality, State, government, or polit-
 6 ical subdivision concerned for such use.

7 “(3) DONATIONS.—The Director may accept
 8 donations of funds, other property, and services for
 9 use in understanding, protecting, and restoring the
 10 Chesapeake Bay. Donations accepted under this sec-
 11 tion shall be considered as a gift or bequest to or for
 12 the use of the United States.

13 “(f) DEFINITIONS.—In this section:

14 “(1) ADMINISTRATOR.—The term ‘Adminis-
 15 trator’ means the Administrator of the National
 16 Oceanic and Atmospheric Administration.

17 “(2) CHESAPEAKE BAY AGREEMENT.—The
 18 term ‘Chesapeake Bay Agreement’ means the for-
 19 mal, voluntary agreements executed to achieve the
 20 goal of restoring and protecting the Chesapeake Bay
 21 ecosystem and the living resources of the Ches-
 22 apeake Bay ecosystem and are signed by the Ches-
 23 apeake Executive Council.

24 “(3) CHESAPEAKE BAY PROGRAM.—The term
 25 ‘Chesapeake Bay Program’ means the regional

1 Chesapeake Bay restoration partnership that in-
 2 cludes Maryland, Pennsylvania, Virginia, the Dis-
 3 trict of Columbia, the Chesapeake Bay Commission,
 4 the Environmental Protection Agency, other appro-
 5 priate Federal agencies, and participating citizen
 6 and local elected official advisory groups.

7 “(4) CHESAPEAKE EXECUTIVE COUNCIL.—The
 8 term ‘Chesapeake Executive Council’ means the rep-
 9 resentatives from the Commonwealth of Virginia, the
 10 State of Maryland, the Commonwealth of Pennsyl-
 11 vania, the Environmental Protection Agency, the
 12 District of Columbia, and the Chesapeake Bay Com-
 13 mission, who are signatories to the Chesapeake Bay
 14 Agreement, and any future signatories to that agree-
 15 ment.

16 “(5) DIRECTOR.—The term ‘Director’ means
 17 the Director of the Chesapeake Bay Office.

18 “(6) OFFICE.—The term ‘Office’ means the
 19 Chesapeake Bay Office established under subsection
 20 (a).

21 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
 22 is authorized to be appropriated to the Secretary to carry
 23 out this section—

24 “(1) \$17,000,000 for fiscal year 2011;

25 “(2) \$18,700,000 for fiscal year 2012;

1 ~~“(3) \$20,570,000 for fiscal year 2013; and~~

2 ~~“(4) \$22,627,000 for fiscal year 2014.”.~~

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Chesapeake Bay Science,*
 5 *Education, and Ecosystem Enhancement Act of 2009”.*

6 **SEC. 2. REAUTHORIZATION OF CHESAPEAKE BAY OFFICE**
 7 **OF NATIONAL OCEANIC AND ATMOSPHERIC**
 8 **ADMINISTRATION.**

9 *Section 307 of the National Oceanic and Atmospheric*
 10 *Administration Authorization Act of 1992 (15 U.S.C.*
 11 *1511d) is amended—*

12 *(1) in subsection (a)—*

13 *(A) in paragraph (1)—*

14 *(i) by striking “(1) The Secretary”*

15 *and inserting the following:*

16 ~~“(1) IN GENERAL.—The Secretary”; and~~

17 *(ii) by striking “(in this section” and*

18 *all that follows and inserting a period;*

19 *(B) by striking paragraph (2) and inserting*

20 *the following:*

21 ~~“(2) DIRECTOR.—~~

22 ~~“(A) IN GENERAL.—The Office shall be~~

23 ~~headed by a Director who shall be selected by the~~

24 ~~Secretary of Commerce from among individuals~~

25 ~~who have knowledge and experience in research~~

1 *or resource management efforts in the Chesapeake Bay.*

3 “(B) *DUTIES.*—*The duties of the Director*
4 *are as follows:*

5 “(i) *Administration and operation of*
6 *the Office.*

7 “(ii) *Carrying out the provisions of*
8 *this section.*”; and

9 (C) *by striking paragraph (3);*
10 (2) *in subsection (b)—*

11 (A) *by striking the matter preceding para-*
12 *graph (1) and inserting the following:*

13 “(b) *PURPOSE.*—*The purpose of this section is to focus*
14 *the relevant science, research, and resource management ca-*
15 *pabilities of the National Oceanic and Atmospheric Admin-*
16 *istration as they apply to the Chesapeake Bay and to utilize*
17 *the Office to—*”;

18 (B) *in paragraph (2), by striking “Sec-*
19 *retary of Commerce” and inserting “Adminis-*
20 *trator*”;

21 (C) *in paragraph (3)—*

22 (i) *by striking the matter preceding*
23 *subparagraph (A) and inserting the fol-*
24 *lowing:*

1 “(3) coordinate with the programs and activities
2 of the National Oceanic and Atmospheric Administra-
3 tion in furtherance of its coastal and ocean resource
4 stewardship mission, including—”;

5 (ii) in subparagraph (A)—

6 (I) by striking “and” after the
7 semicolon in clauses (vi) and (vii); and

8 (II) by inserting after clause (vii)
9 the following:

10 “(viii) coastal hazards, resilient coastal
11 communities, and climate change; and

12 “(ix) research, scientific assessment,
13 and adaptation to climate change; and”;
14 and

15 (iii) in subparagraph (B)—

16 (I) in clause (iii), by striking “;
17 and” and inserting a semicolon;

18 (II) in clause (iv), by adding
19 “and” at the end; and

20 (III) by adding at the end the fol-
21 lowing:

22 “(v) integrated ecosystem assess-
23 ments;”;

1 (D) in paragraph (4), by inserting before
2 the semicolon at the end the following: “as ap-
3 propriate to further the purposes of this section”;

4 (E) by striking paragraphs (5) and (7);

5 (F) by redesignating paragraph (6) as
6 paragraph (5); and

7 (G) by adding at the end the following:

8 “(6) perform such functions as may be necessary
9 to support the programs referred to in paragraph
10 (3).”; and

11 (3) by striking subsection (c) and all that follows
12 through the end of the section and inserting the fol-
13 lowing:

14 “(c) *PROGRAM ACTIVITIES.*—

15 “(1) *IN GENERAL.*—The Director shall imple-
16 ment the program activities required by this sub-
17 section to support the activity of the Chesapeake Exec-
18 utive Council and to further the purposes of this sec-
19 tion.

20 “(2) *ENSURING SCIENTIFIC AND TECHNICAL*
21 *MERIT.*—The Director shall—

22 “(A) establish and utilize an effective and
23 transparent mechanism to ensure that projects
24 funded under this section have undergone appro-
25 priate peer review, using, to the extent prac-

1 *ticable, the capabilities of the Maryland and Vir-*
 2 *ginia Sea Grant Program;*

3 *“(B) provide other appropriate means to*
 4 *determine that such projects have acceptable sci-*
 5 *entific and technical merit for the purpose of*
 6 *achieving maximum utilization of available*
 7 *funds and resources to benefit the Chesapeake*
 8 *Bay area; and*

9 *“(C) ensure that all data and other prod-*
 10 *ucts generated by any project funded under this*
 11 *section be provided to the Director.*

12 *“(3) CONSULTATION WITH CHESAPEAKE EXECU-*
 13 *TIVE COUNCIL.—The Director shall, in the implemen-*
 14 *tation of the program activities authorized under this*
 15 *section, consult with the Chesapeake Executive Coun-*
 16 *cil to ensure that the activities of the Office are con-*
 17 *sistent with the purposes and priorities of the Ches-*
 18 *apeake Bay Agreement and plans developed pursuant*
 19 *to the Agreement.*

20 *“(4) INTEGRATED COASTAL OBSERVATIONS AND*
 21 *MAPPING.—*

22 *“(A) IN GENERAL.—The Director shall col-*
 23 *laborate with scientific and academic institu-*
 24 *tions, State and Federal agencies, nongovern-*
 25 *mental organizations, and other constituents in*

1 *the Chesapeake Bay watershed, to incorporate*
2 *Chesapeake Bay observations into the U.S. inte-*
3 *grated Ocean Observation System, and to coordi-*
4 *nate coastal mapping requirements and projects.*

5 *“(B) SPECIFIC REQUIREMENTS.—To sup-*
6 *port the actions described in subparagraph (A)*
7 *and provide a complete set of environmental in-*
8 *formation for the Chesapeake Bay, the Director*
9 *shall—*

10 *“(i) coordinate existing monitoring,*
11 *observing, and mapping activities in the*
12 *Chesapeake Bay;*

13 *“(ii) identify new data collection needs*
14 *and deploy new technologies, as appro-*
15 *priate;*

16 *“(iii) facilitate the collection and anal-*
17 *ysis of the scientific information necessary*
18 *for the management of living marine re-*
19 *sources and the marine habitat associated*
20 *with such resources;*

21 *“(iv) coordinate with regional partners*
22 *to manage and interpret the information*
23 *described in clause (iii); and*

24 *“(v) support regional partners to en-*
25 *sure the information described in clause*

1 *(iii) is organized into products that are use-*
 2 *ful to policy makers, resource managers, sci-*
 3 *entists, and the public.*

4 “(C) *CHESAPEAKE BAY INTERPRETIVE BUOY*
 5 *SYSTEM.—To further the development and imple-*
 6 *mentation of the Chesapeake Bay Interpretive*
 7 *Buoy System, the Director shall—*

8 “(i) *support the establishment and im-*
 9 *plementation of the Captain John Smith*
 10 *Chesapeake National Historic Trail;*

11 “(ii) *delineate key waypoints along the*
 12 *trail and provide appropriate real-time*
 13 *data and information for trail users;*

14 “(iii) *interpret data and information*
 15 *for use by educators and students to inspire*
 16 *stewardship of Chesapeake Bay; and*

17 “(iv) *incorporate the Chesapeake Bay*
 18 *Interpretive Buoy System into the Inte-*
 19 *grated Ocean Observing System regional*
 20 *network of observatories, in keeping with the*
 21 *purposes of the Integrated Coastal and*
 22 *Ocean Observation System Act of 2009 (33*
 23 *U.S.C. 3601 et seq.).*

24 “(5) *CHESAPEAKE BAY WATERSHED EDUCATION*
 25 *AND TRAINING PROGRAM.—*

1 “(A) *IN GENERAL.*—*The Director shall es-*
 2 *tablish a Chesapeake Bay watershed education*
 3 *and training program. The program shall—*

4 “(i) *continue and expand the Ches-*
 5 *apeake Bay watershed education programs*
 6 *offered by the Office on the day before the*
 7 *date of the enactment of the Chesapeake Bay*
 8 *Science, Education, and Ecosystem En-*
 9 *hancement Act of 2009;*

10 “(ii) *improve the understanding of ele-*
 11 *mentary and secondary school students and*
 12 *teachers of the living resources of the eco-*
 13 *system of the Chesapeake Bay;*

14 “(iii) *provide community education to*
 15 *improve watershed protection; and*

16 “(iv) *meet the educational goals of the*
 17 *most recent Chesapeake Bay Agreement.*

18 “(B) *GRANT PROGRAM.*—*The Director shall,*
 19 *subject to the availability of appropriations,*
 20 *award grants to support education and training*
 21 *projects that enhance understanding and assess-*
 22 *ment of a specific environmental problem in the*
 23 *Chesapeake Bay watershed or a goal of the*
 24 *Chesapeake Bay Program, or protect or restore*

1 *living resources of the Chesapeake Bay water-*
 2 *shed, including projects that—*

3 “(i) *provide classroom education, in-*
 4 *cluding the development and use of distance*
 5 *learning and other innovative technologies,*
 6 *related to the Chesapeake Bay watershed;*

7 “(ii) *provide watershed educational ex-*
 8 *periences in the Chesapeake Bay watershed;*

9 “(iii) *provide professional development*
 10 *for teachers related to the Chesapeake Bay*
 11 *watershed and the dissemination of perti-*
 12 *nent education materials oriented to vary-*
 13 *ing grade levels;*

14 “(iv) *demonstrate or disseminate envi-*
 15 *ronmental educational tools and materials*
 16 *related to the Chesapeake Bay watershed;*

17 “(v) *demonstrate field methods, prac-*
 18 *tices, and techniques including assessment*
 19 *of environmental and ecological conditions*
 20 *and analysis of environmental problems;*

21 “(vi) *build the capacity of organiza-*
 22 *tions to deliver high quality environmental*
 23 *education programs; and*

24 “(vii) *educate local land use officials*
 25 *and decision makers on the relationship of*

1 *land use to natural resource and watershed*
 2 *protection.*

3 “(C) *COLLABORATION.*—*The Director shall*
 4 *provide technical assistance to support the edu-*
 5 *cation and training program established under*
 6 *subparagraph (A) in collaboration with the*
 7 *heads of other relevant Federal agencies.*

8 “(6) *COASTAL AND LIVING RESOURCES MANAGE-*
 9 *MENT AND HABITAT PROGRAM.*—

10 “(A) *IN GENERAL.*—*The Director shall es-*
 11 *tablish a Chesapeake Bay coastal living resources*
 12 *management and habitat program to support co-*
 13 *ordinated management, protection, characteriza-*
 14 *tion, and restoration of priority Chesapeake Bay*
 15 *habitats and living resources, including oysters,*
 16 *blue crabs, and submerged aquatic vegetation.*

17 “(B) *ACTIVITIES.*—*Under the program re-*
 18 *quired by subparagraph (A), the Director may,*
 19 *subject to the availability of appropriations,*
 20 *carry out or enter into grants, contracts, and co-*
 21 *operative agreements and provide technical as-*
 22 *sistance to support—*

23 “(i) *native oyster restoration;*

24 “(ii) *fish and shellfish aquaculture;*

1 “(iii) establishment of submerged
2 aquatic vegetation propagation programs;

3 “(iv) the development of programs that
4 protect and restore critical coastal habitats;

5 “(v) habitat mapping, characteriza-
6 tion, and assessment techniques necessary to
7 identify, assess, and monitor restoration ac-
8 tions;

9 “(vi) application and transfer of ap-
10 plied scientific research and ecosystem man-
11 agement tools to fisheries and habitat man-
12 agers;

13 “(vii) collection, synthesis, and sharing
14 of information to inform and influence
15 coastal and living resource management
16 issues; and

17 “(viii) such other activities as the Di-
18 rector considers appropriate to carry out
19 the program established under subpara-
20 graph (A).

21 “(d) *REPORTS.*—

22 “(1) *IN GENERAL.*—The Director shall, not less
23 frequently than once every 2 years, submit to Con-
24 gress a report on—

25 “(A) the activities of the Office; and

1 “(B) progress made in protecting and re-
 2 storing the living resources and habitat of the
 3 Chesapeake Bay.

4 “(2) ACTION PLAN.—Each report submitted
 5 under paragraph (1) shall include an action plan for
 6 the 2-year period following submission of the report,
 7 consisting of—

8 “(A) a list of recommended research, moni-
 9 toring, and data collection activities necessary to
 10 continue implementation of the strategy under
 11 subsection (b)(2); and

12 “(B) recommendations to integrate the ac-
 13 tivities of the National Oceanic and Atmospheric
 14 Administration with the activities of the part-
 15 ners in the Chesapeake Bay Program in order to
 16 meet the commitments of the Chesapeake Bay
 17 Agreement.

18 “(e) AGREEMENTS.—

19 “(1) IN GENERAL.—The Director may, subject to
 20 the availability of appropriations, enter into and per-
 21 form such contracts, leases, grants, or cooperative
 22 agreements as may be necessary to carry out the pro-
 23 visions of this section.

24 “(2) USE OF OTHER RESOURCES.—For purposes
 25 of understanding, protecting, and restoring the Chesa-

1 *peake Bay, the Director may use, with or without re-*
 2 *imbursement, the land, services, equipment, personnel,*
 3 *and facilities of any Department, agency, or instru-*
 4 *mentality of the United States, or of any State, local*
 5 *government, Indian tribal government, or of any po-*
 6 *litical subdivision thereof if the Director receives con-*
 7 *sent from the Department, agency, instrumentality,*
 8 *State, government, or political subdivision concerned*
 9 *for such use.*

10 “(3) *DONATIONS.*—*The Director may accept do-*
 11 *nations of funds, other property, and services for use*
 12 *in understanding, protecting, and restoring the*
 13 *Chesapeake Bay. Donations accepted under this sec-*
 14 *tion shall be considered as a gift or bequest to or for*
 15 *the use of the United States.*

16 “(f) *DEFINITIONS.*—*In this section:*

17 “(1) *ADMINISTRATOR.*—*The term ‘Adminis-*
 18 *trator’ means the Administrator of the National Oce-*
 19 *anic and Atmospheric Administration.*

20 “(2) *CHESAPEAKE BAY AGREEMENT.*—*The term*
 21 *‘Chesapeake Bay Agreement’ means the formal, vol-*
 22 *untary agreements executed to achieve the goal of re-*
 23 *storing and protecting the Chesapeake Bay ecosystem*
 24 *and the living resources of the Chesapeake Bay eco-*

1 *system and are signed by the Chesapeake Executive*
2 *Council.*

3 “(3) *CHESAPEAKE BAY PROGRAM.*—*The term*
4 *‘Chesapeake Bay Program’ means the regional Ches-*
5 *apeake Bay restoration partnership that includes*
6 *Maryland, Pennsylvania, Virginia, the District of Co-*
7 *lumbia, the Chesapeake Bay Commission, the Envi-*
8 *ronmental Protection Agency, other appropriate Fed-*
9 *eral agencies, and participating citizen and local*
10 *elected official advisory groups.*

11 “(4) *CHESAPEAKE EXECUTIVE COUNCIL.*—*The*
12 *term ‘Chesapeake Executive Council’ means the rep-*
13 *resentatives from the Commonwealth of Virginia, the*
14 *State of Maryland, the Commonwealth of Pennsyl-*
15 *vania, the Environmental Protection Agency, the Dis-*
16 *trict of Columbia, and the Chesapeake Bay Commis-*
17 *sion, who are signatories to the Chesapeake Bay*
18 *Agreement, and any future signatories to that agree-*
19 *ment.*

20 “(5) *DIRECTOR.*—*The term ‘Director’ means the*
21 *Director of the Chesapeake Bay Office.*

22 “(6) *OFFICE.*—*The term ‘Office’ means the*
23 *Chesapeake Bay Office established under subsection*
24 *(a).*

1 “(g) *AUTHORIZATION OF APPROPRIATIONS.—There is*
2 *authorized to be appropriated to the Secretary to carry out*
3 *this section—*

4 “(1) \$17,000,000 for fiscal year 2011;

5 “(2) \$18,700,000 for fiscal year 2012;

6 “(3) \$20,570,000 for fiscal year 2013; and

7 “(4) \$22,627,000 for fiscal year 2014.”.

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11TH CONGRESS
2^D Session

S. 1224

[Report No. 111-126]

A BILL

To reauthorize the Chesapeake Bay Office of the
National Oceanic and Atmospheric Administra-
tion, and for other purposes.

FEBRUARY 23, 2010

Reported with an amendment